



208.10040S

TECH CENTER 1600/2900

AUG 28 2003

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lino TAVARES, et al.

Serial No.: 10/045,607

Filed: October 23, 2001

For: **LORATADINE TRANSDERMAL DEVICE AND
METHODS**

Examiner: I. Ghali

Art Unit: 1615

#10/0
9/5/03
Janewer

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

Commissioner for Patents
Alexandria, VA 22313-1450

August 22, 2003

Sir:

I. Introductory Comments

This is in response to the Restriction Requirement dated March 26, 2003 and the communication dated July 21, 2003. Further to the communication dated July 21, 2003, this response includes a list of all the claims readable on the elected species. Please amend the above-identified application as follows:

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450



Docket No.: 208.1004US
Date: August 22, 2003

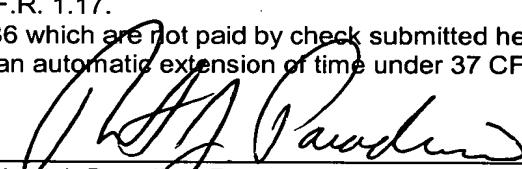
In re application of: Lino TAVARES
Serial No.: 10/045,607
Filed: October 23, 2001
For: LORATADINE TRANSDERMAL DEVICE AND METHODS

Sir:

Transmitted herewith is a **Response To Restriction Requirement** in the above-identified application.

- Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- No fee for additional claims is required.
- A filing fee for additional claims calculated as shown below, is required:

- Also transmitted herewith are:
 - Petition for extension under 37 C.F.R. 1.136 (in duplicate)
 - Other: **-Petition For Extension (1 page)**
- Check(s) in the amount of **\$1340.00** is/are attached to cover:
 - Filing fee for additional claims under 37 C.F.R. 1.16
 - Petition fee for extension under 37 C.F.R. 1.136
 - Other:
- The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
 - Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - Any patent application processing fees under 37 C.F.R. 1.17.
 - Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


Robert J. Paradiso, Reg. No. 41,240
DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on August 22, 2003

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 